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Lawyers poised to sue US junk food manufacturers

The first lawyer to sue the tobacco industry is predicting a series of similar suits against the fast food industry for its role in the obesity epidemic.

Professor John Banzhaf of George Washington University, Washington, DC, said that successful lawsuits mounted against tobacco companies have set a precedent for suing the fast food chains and snack food companies for their part in the increasing obesity epidemic in the United States.

"As we're getting more and more figures saying just how dangerous obesity is, people are wondering if tactics used against the tobacco industry very successfully could be used against the problem of obesity," said Professor Banzhaf, founder and director of the US anti-tobacco campaign group Action on Smoking and Health.

He recently helped win a case against the fast food chain McDonald's for falsely claiming that its French fries contained no animal fat. In fact, the frying oil contained beef tallow. The company paid out millions in damages to vegetarians and devout Hindus, who had believed its assurances.

Professor Banzhaf predicts that many obesity related suits will be filed in the near future. Fred Charatan *Florida*

Polio cases rise in Nigeria as vaccine is shunned for fear of AIDS

Parents in northern Nigeria are refusing to allow their children to be vaccinated against poliomyelitis. They fear that the vaccine might contain HIV and make their children infertile.

People in the region believe that polio vaccine is a Western ploy to curb population growth in Nigeria, despite efforts by community and religious leaders to allay fears. "Nigeria is one of eight countries where polio



Cancer charity highlights risks of testicular cancer

The charity Cancer Research UK is using the World Cup to raise awareness of testicular cancer by highlighting the differences in the incidence of the disease across the world.

It has released figures showing that footballers from Europe's top footballing nations are at least five times more likely to get testicular cancer than those from hosts Japan and South Korea. Players from Nigeria are also at low risk, coming at the bottom of the league. At 0.6 cases per 100 000 of the population, South Korea and Nigeria lie in joint 119th position. Fredrik Ljungberg of Sweden and Joseph Lobo of Nigeria (pictured above) represent the opposite ends of the risk spectrum.

England, Italy, France, Sweden, and Germany, however, rank among the top 25 countries for the disease, and cases of testicular cancer in England have risen 84% since the late 1970s.

Caroline White *London*

Full details can be accessed at the website of the International Association of Cancer Registries at www-dep.iarc.fr/

immunisation is in danger of failing because of widespread refusals in the northern region," said Dr Abba Zakari, director of the primary healthcare programme in Jigawa State, one of several states in northern Nigeria with a high incidence of polio.

The recent, heavily publicised disclosure that a vaccine produced by Pfizer to combat meningitis in Kano was linked to several deaths and health problems further fuelled anxieties about the polio vaccine.

Dr Masur Kabir, commissioner for health in Kano state, where the incidence of polio is believed to be the highest in Nigeria, said: "I blame misguided elements who preoccupy themselves with misinforming the people into believing that the polio vaccine is a mischievous

creation of Western countries to pass on the deadly HIV virus to them."

Abiodun Raufu *Nigeria*

Surgeon found liable for injuries because he did not inform patient of risks

An English court of appeal has ruled that a neurosurgeon who performed a microdissectomy without warning the patient of the risks involved, was responsible for the patient's injuries even though the surgery was not negligently performed.

Sir Denis Henry, Lady Justice Hale, and Sir Christopher Slade

dismissed an appeal by Farhad Afshar, a consultant neurosurgeon at the London Hospital, against a High Court decision that he was liable for injuries sustained by Carole Chester during an operation he performed in 1994.

Ms Chester saw Mr Afshar as a private patient at his Harley Street consulting rooms in London on a Friday afternoon in November 1994. Her referral letter from a consultant rheumatologist said she was averse to surgery, but after a 45 minute consultation she agreed to have the operation late on the following Monday afternoon.

She sustained damage to the cauda equina, the bundle of nerves in which the spinal cord ends.

Mr Afshar told the High Court that he had fully warned her of the risks. But Ms Chester said that Mr Afshar had played down the risks and had not mentioned nerve damage.

The judge held that the operation was not negligently performed but that Mr Afshar was negligent in not properly informing Ms Chester of the risks. Had he done so, she would have sought second or even third opinions and would not have had the surgery when she did. Ms Chester, who walks with a stick and a brace on her leg, has had to give up working as a travel writer, and is claiming £500 000 (\$730 000; €770 000) in damages.

Clare Dyer *legal correspondent, BMJ*

Welsh whistleblower is to be reinstated

An orthopaedic consultant who has been obliged to go on extended leave for more than two years is set to return to work when she has completed 12 months of refresher training.

Sian Caiach initially went on what was called extended maternity leave in April 2000 when allegations were made about her clinical practice. These came shortly after the Audit Commission began to investigate complaints she had made about private practice at Prince Philip Hospital, Llanelli. That investigation subsequently found irregu-